

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note an Information Disclosure Statement (IDS) was filed in the present application on June 10, 2004, which at this time has not been acknowledged as considered. Applicants respectfully request confirmation of consideration of that properly filed IDS. For convenience a copy of that properly filed IDS and its date-stamped filing receipt indicating its filing is submitted herein.

Claims 15-24 are pending in this application. Claims 15, 18, 21, and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent 6,661,530 to Munetomo et al. (herein "Munetomo") in view of U.S. patent 6,069,637 to Gaglione et al. (herein "Gaglione"). Claims 16, 19, 20, and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over Munetomo in view of Gaglione. Claims 17 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Munetomo in view of Gaglione and further in view of U.S. patent 6,462,756 to Hansen et al. (herein "Hansen").

Addressing the above-noted rejections, those rejections are traversed by the present response.

The claims are directed to allowing a ***printer driver*** to perform an editing operation of inserting one of a text, an image, and a graphic into a displayed image. Such features are reflected in the claims and are neither taught nor suggested by any of the cited art, in any combination.

More specifically, the claims are directed to features of a ***printer driver performing editing processes on image data*** after a command to print a document has been issued. That is, in the claimed invention after a command to print a document has been executed and has been received by a printer driver, then in the present invention an editing process of inserting

at least one of a text, an image, and a graphic into a displayed image can still be performed. Such features are believed to clearly differ from the applied art.

As discussed in the present specification with respect to the background, when an image to be printed is edited, a document can be processed in an application.¹ In the present apparatus and method an application is first activated to issue an order to print an original document, and then a printer driver is activated to start to operate.² Then, at least one of a text, an image, and a graphic is inserted into the original document while operating the printer driver. Then, various steps are taken by the printer driver to allow the printing of the document. Such features of the performing the noted operations in a printer driver of a printing image forming apparatus are believed to clearly distinguish over the applied art.

In the present invention an editing process on image data is performed on the printer driver instead of on applications, unlike the prior art.

Applicants respectfully submit the basis for the outstanding rejection is simply not properly considering the claimed features relative to the claimed invention, and in fact mischaracterizes applicant's previously presented arguments to the allowability of the claims. Specifically, the basis for maintaining the outstanding rejection states:

Additionally, the main thrust of the applicant's arguments is Munetomo, Gaglione and Hansen are not properly combined and do not teach, **insert at least one of the text, an image, and a graphic into a display image.**³

Applicant respectfully submits the above-noted basis for maintaining the outstanding rejection misconstrues applicant's previously presented arguments, which are also presented below. Specifically, applicant at no point argued that Munetomo, Gaglione or Hansen do not teach inserting at least one of a text, an image, and a graphic into a display image. In fact, applicant concedes that editing features are disclosed in the art. However, the claims do not

¹ Specification at page 1, lines 19-21.

² Specification at page 4, lines 1-4.

³ Office Action of November 30, 2005, page 9, first full paragraph (original emphasis).

merely recite inserting at least one of a text, an image, and a graphic in a display, but instead the claims specifically recite that a ***printer driver*** includes an inserting device to insert at least one of a text, an image, and a graphic, and which takes place after receiving a command to print a document. It was conventional to have a regular application, such as a word processing application, insert at least one of a text, an image, and a graphic into a display image. What is ***not conventional***, and what is recited in the claims, is that a ***printer driver*** performs such an insertion after receiving a command to print a document.

As discussed in further detail below, Munetomo clearly discloses a computer including an application 1-12 and a printer driver 1-15. Applicant respectfully submits any editing of an insertion of at least one of a text, and an image, and a graphic is performed by that application 1-12, and is ***not performed by the printer driver 1-15***. Further, applicant respectfully submits that Gaglione does not disclose or suggest any teaching that would result in one of ordinary skill in the art modifying the printer driver 1-15 in Munetomo to be able to insert at least one of a text, an image, and a graphic, after receiving a command to print a document.

One basis for maintaining the outstanding rejection also appears to indicate that the Examiner is using “the broadest reasonable interpretation of the claims”. Applicants believe that is not the case. The claims clearly positively recite the ***printer driver*** performing the insertion of at least one of a text, an image, and a graphic after receiving a command to print a document. No reasonable interpretation of the claims could ignore such positively recited features.

The basis for the outstanding rejection has not properly considered the claimed features of the printer driver performing the noted insertion of at least one of a text, an image, and a graphic, as discussed in even further detail below.

Addressing now the primary reference to Munetomo in further detail, Munetomo appears to disclose a conventional system of a printer in Figure 1 showing an application 1-12 and a printer driver 1-15 as part of a memory 1-11 of a computer 1-1. However, applicants respectfully submit Munetomo does not disclose or suggest any operation in which the printer driver 1-15 can insert at least one of a text, an image, and a graphic into a displayed image.

Munetomo appears to disclose a conventional printer driver that does not have any editing operations such as noted above. Munetomo specifically states “[t]he printer driver 1-15 which is specific to each model of printers, reconfigures the printing data sent from the operating system 1-14 into a form that the printer 1-4 can directly recognize, and sends the reconfigured data to the printer interface 1-6”.⁴ From this disclosure Munetomo discloses the printer driver 1-15 as a conventional printer driver that cannot perform any editing operations.

With respect to the feature of being able to insert an image into a displayed image, the outstanding rejection cites Munetomo at col. 3, line 64 through col. 4, line 11. That basis for the outstanding rejection is not at all understood. That basis for the outstanding rejection appears to reference an 11th embodiment in Munetomo and an operation of a double-sided printing mode, but does not disclose any operation of inserting an image into a displayed image. Details of such an 11th embodiment are also noted in Munetomo at col. 20, line 4 et seq. At that portion, Munetomo does not disclose any operation in which a printer driver can insert an image into a displayed image.

Therefore, Munetomo does not disclose or suggest the printer driver taking any sort of editing operation of being able to insert any material into a displayed image. In such ways, Munetomo does not disclose the above-noted features recited in the claims.

⁴ Munetomo at col. 8, lines 26-30.

Moreover, as apparently recognized in the Office Action, Munetomo does not disclose specifics of inserting at least one of a text, an image, and a graphic into a displayed image via a printer driver.

To overcome that recognized deficiency in Munetomo the outstanding rejection cites Gaglione at col. 7, line 29 through col. 8, line 35, and also Figure 7. However, applicants note such teachings in Gaglione first are not related to the teachings in Munetomo and are not related to the claimed features.

At the noted portion in Gaglione, Gaglione discloses an editing operation in which a text mode can be entered into, to provide text for an image. However, such teachings in Gaglione are *not performed by a printer driver*. Such teachings in Gaglione would appear to be performed by a device such as the application 1-12 in Munetomo. Thereby, if such teachings in Gaglione were combined with the teachings in Munetomo, that would allow the application 1-12 in Munetomo to be able to enter a text entering mode to allow text to be entered.

However, the claims are not directed to such a feature.

The claims are directed to a *printer driver* being able to insert at least one of a text, an image, and a graphic into a displayed image. Neither Munetomo nor Gaglione teach or suggest such a feature, and no combination of teachings of Munetomo or Gaglione would suggest such a feature.

As noted above, Munetomo discloses an application 1-12 that would appear to perform editing operations, and a printer driver 1-15 that formats data for printing. Munetomo does not disclose or suggest the printer driver 1-15 being able to perform any editing of inserting at least one of a text, an image, and a graphic to a displayed image.

Moreover, Gaglione also does not teach or suggest the printer driver being able to perform an editing to insert at least one of a text, an image, and a graphic into the displayed

image. Thus, combining the teachings of Gaglione and Munetomo would not result in the above-noted claimed feature. As noted above, any combination of teachings in Gaglione and Munetomo would at most result in the application 1-12 in Munetomo being able to enter a text entering mode. That is not what the claims recite, as noted above.

One other basis for maintaining the rejection appears to be that the disclosure in Gaglione is directed to Eastman Kodak printers, which are “usually embedded with the printer driver to perform all the features that [are] described above”.⁵

That basis for the outstanding rejection is not at all understood. There does not appear to be any teaching or suggestion in Gaglione itself that would suggest a printer driver can perform the claimed editing functions. In Figure 1, in fact, Gaglione appear to disclose just the opposite.

More particularly, in Figure 1 Gaglione discloses a central processing unit 10 that can take the form of any appropriate computer.⁶ Gaglione goes on to note that an output device 34 may be a printer PCD 600.⁷ Thus, it is actually clear in Gaglione that ***all the editing being performed is being performed by the CPU 10 and not by any element within the printer 34.***

If any basis for the outstanding rejection is maintained, it is respectfully requested that it be clearly pointed out on the record where Gaglione discloses that the output device 34, noted as a printer, includes editing functions. The outstanding Office Action has not made any such indication. Applicants believe that is the case because Gaglione does not disclose the features relied upon in the Office Action, i.e., the Office Action clearly misconstrues the teachings in Gaglione.

Further, the noted teachings in Gaglione at column 7, line 29 to column 8, line 35 are directed to a text editing portion 120, which again appears to be a screen provided on the CPU 10, and not in the printer 34. That disclosure again clearly indicates that Gaglione does

⁵ Office Action of November 30, 2005, page 10, lines 11-12.

⁶ Gaglione at column 4, lines 6-8.

⁷ Gaglione at column 4, lines 53-58.

not disclose or suggest a printer driver being able to insert at least one of a text, an image, and a graphic into a display image after receiving a command to print a document.

In such ways, clearly the teachings in Gaglione do not overcome the above-noted deficiencies in Munetomo, in contrast to the basis for the outstanding rejection.


Moreover, no teachings in Hansen are cited with respect to the above-noted features, nor any teachings in Hansen believed to overcome the above-discussed deficiencies of Gaglione and Munetomo.

In view of these foregoing comments, applicant respectfully submits the claims as currently written distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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